



FR-4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35883]

Union Pacific Railroad Company—Temporary Trackage Rights Exemption—The Kansas City Southern Railway Company

The Kansas City Southern Railway Company (KCS), pursuant to a written trackage rights agreement (Agreement) dated November 21, 2014,<sup>1</sup> has agreed to grant temporary overhead trackage rights to Union Pacific Railroad Company (UP) between milepost 678.5 near Alexandria, La., and milepost 780.7 at Lobdell Junction, La., a distance of approximately 102.2 miles.

The transaction may be consummated on or after December 28, 2014, the effective date of the exemption (30 days after the verified notice of exemption was filed). The temporary trackage rights will expire on February 20, 2015. The purpose of the temporary trackage rights is to allow UP to bridge its train service while UP's rail lines are impacted due to maintenance projects in Louisiana.

As a condition to this exemption, any employees affected by the acquisition of the temporary trackage rights will be protected by the conditions imposed in Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc., 354 I.C.C. 605 (1978), as modified in Mendocino Coast Railway—Lease & Operate—California Western Railroad, 360 I.C.C. 653 (1980), and any employees affected by the discontinuance of

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<sup>1</sup> A redacted version of the Agreement between KCS and UP was filed with the notice of exemption. UP states that, within ten day of its execution, it will file an executed, redacted copy. UP also states that it will file an unredacted copy along with a motion for protective order. That motion will be addressed in a separate decision.

those trackage rights will be protected by the conditions set out in Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho, 360 I.C.C. 91 (1979).

This notice is filed under 49 CFR 1180.2(d)(8). If it contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than December 19, 2014 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35883, must be filed with the Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Jeremy M. Berman, Union Pacific Railroad Company, 1400 Douglas Street, STOP 1580, Omaha, NE 68179.

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Decided: December 9, 2014.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Brendetta S. Jones

Clearance Clerk

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